



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

James Case  
Treasurer  
Case for Senate  
1001 Bishop Street  
ASB Tower, Suite 2200  
Honolulu, HI 96813

JUL 3 2007

RE: MUR 5819  
Case for Senate and James Case,  
in his official capacity as treasurer

Dear Mr. Case:

On September 22, 2006, the Federal Election Commission (the "Commission") notified Case for Senate and you, in your official capacity as treasurer (the "Committee"), of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended (the "Act").

On June 28, 2007, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe the Committee violated the Act in connection with this matter. Accordingly, the Commission closed its file in this matter as it pertains to Case for Senate and you, in your official capacity as treasurer. The Factual and Legal Analysis, explaining the Commission's finding, is enclosed.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) remain in effect, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact Adam Schwartz, the attorney assigned to this matter at (202) 694-1650.

Sincerely,

Thomasenia P. Duncan  
General Counsel

BY:   
Julie K. McConnell  
Acting Assistant General Counsel

Enclosure  
Factual and Legal Analysis

27044174927

**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**Respondent:** Case for Senate and James Case,  
in his official capacity as treasurer

**MUR: 5819**

This matter arises from a complaint filed by James J. Bickerton and Barry A. Sullivan concerning an automated telephone call made in connection with the 2006 Hawaii Democratic primary election. On September 15, 2006, eight days before the Hawaii Democratic primary election, the U.S. Chamber of Commerce paid for automated telephone calls in Hawaii with the following message:

Hello, I'm calling with an important message for absentee voters about Congressman Ed Case. Ed Case has over twenty years experience in both the public and private sector, and he has fought hard and delivered on his promises while representing us in the US House the past four years. Ed Case supports tax cuts that have helped put more money in the pockets of Hawaii's families. Ed Case also supports Small Business Health Plans, which would give small businesses and the self-employed greater access to affordable health plans. Ed Case has made the tough decisions that are right for Hawaii, even if it's not popular with partisan politicians.

Please visit [www.movehawaiiforward.com](http://www.movehawaiiforward.com) to learn more. This message was paid for by the U.S. Chamber of Commerce. Thank you.

Because there is no allegation or information to suggest that Case for Senate or James Case, in his official capacity as treasurer, participated in the automated telephone call or coordinated with the U.S. Chamber of Commerce regarding the call, the Commission finds no reason to believe that Case for Senate or James Case, in his official capacity as treasurer, violated the Act in connection with this matter.